



Application No.: 10/520,406

Docket No.: KKH-0034

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitsuaki Iwashita et al.

Application No.: 10/520,406

Confirmation No.: 5490

Filed: January 6, 2005

Art Unit: 1763

For: PROCESSING APPARATUS AND
PROCESSING METHOD

Examiner: Crowell, Anna M.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated May 16, 2007, Applicants provisionally elect Group I, claims 1, 4-6, 8-13, 17-20, with traverse. Applicant reserves the right to file divisional applications covering the subject matter of the non-elected claims. Applicant also reserves the right to rejoin any applicable non-elected claims.

The Examiner has required a restriction under 35 U.S.C. §§ 121 and 372, and has alleged that the application contains inventions which are not linked so as to form a single general inventive concept under PCT Rule 13.1. Applicant respectfully disagrees, and therefore has traversed this restriction requirement. Applicant requests that the Examiner reconsider this restriction requirement in view of the following remarks.

This application is a National Phase of a PCT application under 35 U.S.C. § 371, and is not an application filed under 35 USC § 111(a). MPEP § 1893(d) points out that with respect to national stage applications filed under 35 USC § 371, restriction practice under 35 USC § 121 is inapplicable. Rather, Unity of Invention practice under PCT Rule 13 and 37 CFR § 1.475 applies.